

**BEFORE THE MISSOURI REAL ESTATE COMMISSION**

MISSOURI REAL ESTATE COMMISSION	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 15-1721RE
	)	
	)	
BRENDA I. WOOD	)	
	)	
Respondent.	)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND DISCIPLINARY ORDER**

On or about March 1, 2016, the Administrative Hearing Commission entered its Default Decision in the case of *Missouri Real Estate Commission v. Brenda I. Wood*, No. 15-1721RE. In that Default Decision, the Administrative Hearing Commission found that Respondent Brenda I. Wood's real estate broker associate licenses (license nos. 2004023098 and 2009002043) are subject to disciplinary action by the Missouri Real Estate Commission ("Commission") pursuant to § 339.100.2(20), RSMo.<sup>1</sup>

The Commission has received and reviewed the record of the proceedings before the Administrative Hearing Commission including the properly pled complaint and the Default Decision of the Administrative Hearing Commission. The record of the Administrative Hearing Commission is incorporated herein by reference in its entirety.

Pursuant to notice and §§ 621.110 and 339.100.3, RSMo, the Commission held a hearing on June 8, 2016, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri, for the purpose of determining the appropriate disciplinary action against Respondent's license. All of the members of the Commission were present throughout

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri 2000, as amended, unless otherwise indicated.

the meeting. Further, each member of this Commission has read the Default Decision of the Administrative Hearing Commission. The Commission was represented by Assistant Attorney General Nichole Bock. Respondent having received proper notice and opportunity to appear did not appear in person or through legal counsel. After being present and considering all of the evidence presented during the hearing, the Commission issues the following Findings of Facts, Conclusions of Law and Order.

Based upon the foregoing the Commission hereby states:

**I.**

**FINDINGS OF FACT**

1. The Commission is an agency of the state of Missouri created and established pursuant to § 339.120, RSMo, for the purpose of licensing all persons engaged in the practice as a real estate broker or salesperson in this state. The Commission has control and supervision of the licensed occupations and enforcement of the terms and provisions of §§ 339.010-339.205 and 339.710-339.855, RSMo.

2. The Commission hereby adopts and incorporates by reference the properly pled Complaint and the Default Decision of the Administrative Hearing Commission in *Missouri Real Estate Commission v. Brenda I. Wood*, Case No. 15-1721RE, issued March 1, 2016, in its entirety and takes official notice thereof.

3. The Commission set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion. Respondent failed to appear in person or through legal counsel at the hearing before the Commission

4. This Commission licensed Respondent Brenda I. Wood as a real estate broker associate, license numbers 2004023098 and 2009002043. Respondent's broker associate licenses were current at all times relevant to this proceeding.

## II.

### CONCLUSIONS OF LAW

5. This Commission has jurisdiction over this proceeding pursuant to §§ 621.110 and 339.100, RSMo.

6. The Commission expressly adopts and incorporates by reference the properly pled complaint and Default Decision issued by the Administrative Hearing Commission dated March 1, 2016, in *Missouri Real Estate Commission v. Brenda I. Wood*, Case No. 15-1721RE, takes official notice thereof, and hereby enters its conclusions of law consistent therewith.

7. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's Default Decision dated March 1, 2016, Respondent's real estate broker associate licenses, numbers 2004023098 and 2009002043, is subject to disciplinary action by the Commission pursuant to § 339.100.2(20), RSMo.

8. The Commission has determined that this Order is necessary to ensure the protection of the public.

## III.

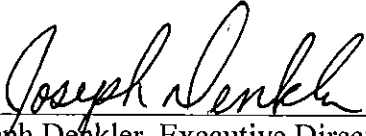
### ORDER

Having fully considered all the evidence before the Commission, and giving full weight to the Default Decision of the Administrative Hearing Commission, it is the **ORDER** of the Commission that the real estate broker associate licenses of Brenda I. Wood (license nos. 2004023098 and 2009002043) are hereby **REVOKED**. All evidence of Respondent's licensure shall be immediately returned to the Commission within 30 days of this Order along with a Closing of a Real Estate Brokerage/Sole Proprietorship forms, if Respondent has not already done so.

The Commission will maintain this Order as an open, public record of the Commission as provided in Chapters 339, 610 and 324, RSMo.

SO ORDERED, EFFECTIVE THIS 17<sup>th</sup> DAY OF June, 2016.

MISSOURI REAL ESTATE COMMISSION

  
\_\_\_\_\_  
Joseph Denkler, Executive Director

Before the  
Administrative Hearing Commission  
State of Missouri



REAL ESTATE COMMISSION,  
Petitioner

vs.

BRENDA I. WOOD,

Respondent

No. 15-1721 RE

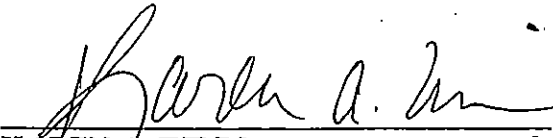
**DEFAULT DECISION**

On November 18, 2015, Petitioner filed a properly pled complaint seeking to discipline Respondent. Respondent was served with a copy of the complaint and our notice of complaint/notice of hearing by personal service on January 20, 2016.

More than thirty days have elapsed since Respondent was served. Respondent has not filed an answer or otherwise responded to the complaint.

In accordance with § 621.100.2, RSMo (Supp. 2013), we enter a default decision against Respondent establishing that Petitioner is entitled to the relief requested in the complaint. This default decision shall become final and may not be set aside unless a motion is filed with this Commission within thirty days of the date of this order establishing good cause for not responding to the complaint and stating facts constituting a meritorious defense.

SO ORDERED on March 1, 2016.

  
KAREN A. WINN  
Commissioner

**BEFORE THE  
ADMINISTRATIVE HEARING COMMISSION  
STATE OF MISSOURI**

**MISSOURI REAL ESTATE COMMISSION )  
3605 Missouri Boulevard )  
P.O. Box 1339 )  
Jefferson City, MO 65102, )  
Telephone: (573) 751-2628 )**

**Petitioner,**

**v.**

**BRENDA I. WOOD )  
Inmate No. 24586031 )  
Leavenworth Detention Center )  
100 Highway Terrance )  
Leavenworth, KS 66048 )  
Telephone: (913) 727-3246 )**

**Respondent.**

**FILED**

NOV 18 2015

ADMINISTRATIVE HEARING  
COMMISSION

Case No. \_\_\_\_\_

**COMPLAINT**

Petitioner, the Missouri Real Estate Commission ("MREC"), by and through its counsel, the Attorney General of the State of Missouri, states the following for its cause of action against Respondent, Brenda I. Wood ("Wood"):

1. The MREC is an agency of the State of Missouri created and existing pursuant to § 339.120, RSMo (Cum. Supp. 2013), for the purpose of executing and enforcing the provisions of §§ 339.010 to 339.205 and §§ 339.710 to 339.855, RSMo (as amended), relating to real estate salespersons and brokers.

2. Wood holds two licenses as a real estate broker associate, license no. 2009002043 and license no. 2004023098 ("Wood's licenses"). Wood's licenses were current and active at all times relevant to this complaint.

3. Jurisdiction and venue are proper before the Administrative Hearing Commission pursuant to §§ 621.045 and 339.100.2, RSMo (Cum. Supp. 2013).

4. On or about August 15, 2014, the Kansas Real Estate Commission entered an Emergency Order in the case styled "In the Matter of Brenda Wood, License No. BR00220421, Docket No. 14-4811," which suspended Wood's Kansas license as a real estate broker ("Kansas Emergency Suspension Order"). A true and accurate copy of the Kansas Emergency Suspension Order (without its exhibits) is attached hereto as Exhibit 1, and is incorporated by reference as though fully set forth herein.

5. In its Emergency Suspension Order, the Kansas Real Estate Commission suspended Wood's Kansas license under K.S.A. 58-3050(a) based on its conclusion that there was probable cause to believe Wood violated K.S.A. 58-3062(a)(1), (a)(2), (a)(13), (a)(14), (a)(22), (a)(25), and (e)(6).

6. On or about January 16, 2015, the Kansas Real Estate Commission and Wood entered into Consent Agreement and Final Order ("Kansas Consent Order"), which revoked Wood's Kansas real estate broker

license. A true and accurate copy of the Kansas Consent Order is attached hereto as Exhibit 2, and is incorporated by reference as though fully set forth herein.

6. Wood stipulated in the Kansas Consent Order that there was substantial evidence to support the Findings of Fact and Conclusions of Law in the Kansas Emergency Suspension Order, which would constitute multiple violations of K.S.A. 58-3062(a)(22).

7. Cause exists to discipline Wood's licenses pursuant to § 339.100.2(20), RSMo (Cum. Supp. 2013), because the Kansas Real Estate Commission disciplined Wood's Kansas real estate broker license upon grounds for which revocation or suspension is authorized in this state.

8. The cause for discipline set forth under K.S.A. 58-3050(a)(22) is also cause to suspend or revoke a Missouri real estate license pursuant to §§ 339.100.2 (16) and (19) and 339.040.1(3), RSMo (Cum. Supp. 2013).

9. K.S.A. 58-3062 states in pertinent part:

(a) No licensee, whether acting as an agent, transaction broker or a principal, shall:

...

(22) Demonstrate incompetency to act as a broker, associate broker or salesperson.

10. Section 339.100.2, RSMo (Cum. Supp. 2013), which provides the



grounds upon which the MREC may discipline a licensee, states in pertinent part:

The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered his or her individual or entity license for any one or any combination of the following acts:

...

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

....

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

(20) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 granted by another state, territory, federal agency, or country upon grounds for which revocation, suspension, or probation is authorized in this state[.]

11. Section 339.040.1, RSMo (Cum. Supp. 2013), relating to requirements for real estate licensees in Missouri, provides:

1. Licenses shall be granted only to persons who present . . . satisfactory proof to the commission that they:

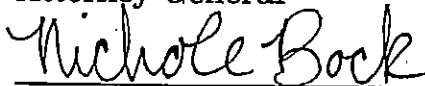
...

(3) Are competent to transact the business of a broker or salesperson in such a manner as to safeguard the interest of the public.

WHEREFORE, Petitioner prays that the Administrative Hearing Commission conduct a hearing in this case pursuant to Chapter 621, RSMo, and thereafter issue findings of fact and conclusions of law holding that cause exists to discipline Respondent Wood's real estate broker associate licenses under § 339.100.2(20), RSMo (Cum. Supp. 2013), and the regulations promulgated thereunder.

Respectfully submitted,

CHRIS KOSTER  
Attorney General



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Missouri Bar No. 64222

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